



Commonwealth  
of Massachusetts

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*www.state.ma.us/ocpf*  
*Office of Campaign and Political Finance*  
*One Ashburton Place, Room 411*  
*Boston, MA 02108*

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**Advisory Opinion**

July 21, 1998  
AO-98-14

Francis T. Talty  
54 Church Street  
Lowell, MA 01852

Re: Proposed fundraising event at Lelacheur Park

Dear Mr. Talty:

This letter is in response to your request for an opinion regarding the use of Lelacheur Park in Lowell for a political fundraising event. For the reasons discussed below, the proposed event would be consistent with the campaign finance law.

**Facts:** The City of Lowell and the University of Massachusetts at Lowell built the ballpark, which is leased to the Lowell Spinners baseball team, a privately owned enterprise. The Spinners sell tickets to the games and run the concessions. The team engages a Lowell restaurant to provide buffet meals in combination with game tickets for groups, which purchase blocks of tickets for promotional events.

Your political committee plans to purchase 200 tickets with a buffet meal from the Spinners and the restaurant and then sell the tickets to contributors.

**Question:** Does the campaign finance law, specifically section 14 of M.G.L. c. 55, permit the planned fundraising event at the Lelacheur Park?

**Answer:** Yes.

**Discussion:** Section 14 provides in part that "[n]o person shall in any building or part thereof occupied for state, county or municipal purposes demand, solicit or receive any payment or gift of money or other thing of value for the purposes set forth in section thirteen." For the reason set forth below, I would conclude that Lelacheur Park is not "occupied for municipal purposes" for purposes of section 14.

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A building<sup>1</sup>, which is municipally owned, is not necessarily subject to the prohibition stated in section 14. See AO-94-04 concluding that Melrose Memorial Hall was not "occupied for municipal purposes" even though it was owned by the City of Melrose; and AO-89-07 concluding that the Hynes Veterans Memorial Convention Center was not subject to section 14. In these opinions, the office emphasized that the buildings in question should not be considered "occupied for state, county or municipal purposes" because they were used primarily to accommodate gatherings of private parties and neither contained government offices or agencies.

I understand from your letter that Lelacheur Park, like Melrose Memorial Hall and the Hynes Convention Center, contains no offices or agencies of government and is used primarily by the Spinners, a private organization, which pays for such use in accordance with a lease. The proposed event may therefore take place at the Lelacheur Park without violating section 14.

This opinion is issued within the context of the Massachusetts campaign finance law and is provided solely on the basis of representations in your letter. Please contact us if you have further questions.

Sincerely,

A handwritten signature in black ink, reading "Michael J. Sullivan" followed by a horizontal line.

Michael J. Sullivan  
Director

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<sup>1</sup> An open park by itself is not a building and, therefore, such a park would not be subject to the restrictions of section 14. Lelacheur Park, however, consists in substantial part of a structural component, i.e., a "building."